

# **Minutes of the Malvern City Council**

1

Held in the City Hall Courtroom

Monday, December 14, 2015

The Malvern City Council met for its regular monthly meeting on Monday, December 14, 2015 at 7:00 p.m. in the City Hall Courtroom immediately following a public hearing concerning truck traffic on Walco Road. Mayor Brenda Weldon called the meeting to order and introduced Bro. Rick McClure of Lifepoint Church, who led the invocation and pledge of allegiance. Present for the meeting were Council members Mary Fraction, William Wilson, Lynn Davis, J. Wayne Reynolds, Peggy Lusinger, Robin Halbert, Larry Stiles and David Cross. Also present were City Clerk/Treasurer Phyllis Dial and City Attorney Cecilia Ashcraft. Mayor Weldon declared a quorum present and welcomed everyone to the meeting.

A motion was made by Fraction, seconded by Reynolds to adopt the minutes of the previous regular meeting held on November 9, 2015. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried.

Monthly departmental reports were considered. Mayor Weldon noted that they were available for review on the tablets. A motion was made by Fraction, seconded by Davis to accept departmental reports as posted. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried. There was no old business to come before the City Council.

Under new business, Mayor Weldon announced that the Cemetery Committee had submitted a letter of recommendation for the award of the bid and contract for the maintenance of Oak Ridge Cemetery, but that since the receipt of the letter the committee has received some additional information and would like to table the matter until they can reconsider their recommendation. A motion was made by Reynolds, seconded by Cross to table the acceptance of the bid for the maintenance of Oak Ridge Cemetery. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried.

A motion was made by Council Member Lusinger, seconded by Council Member Fraction to authorize the Mayor to sign the contract with the Arkansas Forestry Commission for the Malvern Municipal Airport. Mayor Weldon announced that it is the same as the contract signed last year and has been reviewed and approved by the City Attorney. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried.

A motion was made by Council Member Fraction, seconded by Alderman Stiles to authorize the Mayor to sign the closing documents for the purchase of the building on Third Street. Mayor Weldon stated that the city did receive a grant in the amount of \$20,000.00 to assist with the purchase of the building, and

## **Minutes of the Malvern City Council**

2

Held in the City Hall Courtroom

Monday, December 14, 2015

that the transaction will close around the end of this month. Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried.

Council Member Fraction introduced for its first reading an ordinance adopting the 2016 budget for the City of Malvern. Clerk/Treasurer Dial read the ordinance for its first reading. The ordinance will be heard for its second reading by title only at the January 2016 meeting.

Council Member Fraction introduced for its first reading an ordinance adopting the 2016 budget for the City of Malvern Water and Sewer Department. The Clerk/Treasurer read the ordinance for its first reading. The ordinance will be heard for its second reading by title only at the January meeting.

A motion was made by Council Member Davis, seconded by Alderman Stiles to authorize the Mayor to sign a twenty-five year lease with the Hot Spring County Fair Association. Mayor Weldon told the council that a minor adjustment had been made to the lease. A one-year termination clause was added by the city attorney, and the Fair Association has asked that the notification be made three years because a one year time frame does not give them time to make arrangements and complete a move. . Voting for the motion were Aldermen Fraction, Wilson, Davis, Reynolds, Lusinger, Halbert, Stiles, and Cross. All voting for motion carried.

Mr. Lawrence Bailey and Mr. Rocky Stitt had asked to be placed on the agenda. Both had spoken at the public hearing preceding the meeting, and Mayor Weldon asked them if they had anything to add to their earlier statements at the public hearing. Mr. Stitt stated that the Council had said the pledge to the flag at the beginning of the meeting which cited "liberty and justice for all". He asked the Council to keep that in mind. Mr. Bailey said that he realizes the Walco Road issue does not have an easy solution. He said that everyone seems to just keep seeing the same thing, and that he would like to have a working meeting with the citizens and the companies to try and come up with a solution that everyone can live with.

Mayor Weldon adjourned the City Council into an executive session to discuss a personnel matter at 7:21. The Council reconvened at approximately 7:36. Mayor Weldon wished everyone a Merry Christmas and stated that it has been a good year and she has enjoyed her first year in office. She stated that she realizes that she can't please everyone all of the time, but she has tried to do what is best for the City during her first year.

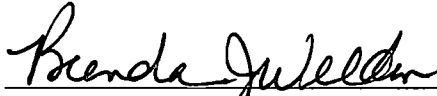
## Minutes of the Malvern City Council

3

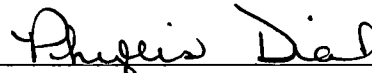
Held in the City Hall Courtroom

Monday, November 9, 2015

A motion was made by Reynolds, seconded by Stiles to adjourn. There being no further business to come before the Council, the meeting was declared adjourned.



Brenda J. Weldon, Mayor



Phyllis Dial, City Clerk/Treasurer

## **BID SUMMARY**

The City of Malvern opened sealed bids on Tuesday, December 1, 2015 at 10 o'clock a.m. in the Clerk/Treasurer's Office for the maintenance and upkeep of the Oak Ridge Cemetery. Present for the opening were City Clerk/Treasurer Phyllis Dial, Street Superintendent Mike Smith, and Kim Pierce of the Treasurer's Office. The Clerk/Treasurer opened the bids beginning at 10:11 a.m. Five bids were received with the results as follows:

**Clifford Morrison**  
575 Post Oak Road  
Arkadelphia, Arkansas 71923

**\$1299.00 per month**  
(\$15,588.00 annually)

**Booth Lawn Care**  
1340 S. Anderson Road  
Hazen, Arkansas 72064

**\$34,500.00 per year**  
Bid included list of equipment, and proof of liability & workers' comp insurance.

**Anthony Grass & Leaves LLC**  
121 Cabe Street  
Malvern, Arkansas 72104

**\$33,500.00 per year**

**Larry Tatum d/b/a Enviro Services**  
213 Glen Rose Road  
Malvern, AR 72104

**\$28,750.00 per year**  
Liability Ins. Certificate & Workers Comp. Certificate to be presented at award of contract. References included.

**T&T Backhoe Service Inc.**  
PO Box 198  
Rison, Arkansas 71665

**\$14,208.00 per year**  
To be paid in monthly installments of \$1,184.00 monthly. Cert. of Liability and Workers' Comp insurance, and references included.

Malvern City Cemetery Committee  
Malvern, Arkansas 72104

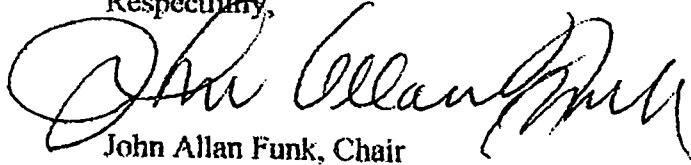
Honorable Brenda Weldon, Mayor  
City of Malvern

December 14, 2015

Dear Mayor,

The City Cemetery has reviewed the bids for caretaker of Oak Ridge, and the majority recommends the Council consider a LOCAL company, Enviro Services, run by Mr. Larry Tatum.

Respectfully,

A handwritten signature in cursive script, appearing to read "John Allan Funk".

John Allan Funk, Chair